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RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2676

Docket No.: 826.1720

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kenichiro SAKAI, et al.

Serial No. 09/819,703

Group Art Unit: 2676

Confirmation No. 4089

Filed: March 29, 2001

Examiner: Allen E. Quillen

For: IMAGE DISPLAY DEVICE AND DATA WRITING METHOD IN IMAGE DISPLAY  
DEVICE

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APR 15 2004

Technology Center 2600

**REQUEST FOR RECONSIDERATION UNDER 37 CFR § 1.116**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed December 10, 2003, and having a period for response set to expire on March 10, 2004. A Petition for a one-month extension of time, together with the requisite fee for same, is submitted herewith, thereby extending the period for response to April 10, 2004.

In the December 10, 2003 Office Action, the Examiner noted that claims 1-14 were pending in the application and rejected claims 1-14 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent 6,137,534 to Anderson in view of U.S. Patent Application Publication 2003/0095193 to May et al. (References A and B, respectively). Claims 1-14 remain in the case. The Examiner's rejections are traversed below.

**Newly Cited Prior Art**

**U.S. Patent Application Publication 2003/0095193 to May et al.**

The May et al. patent application publication is directed to a digital camera capable of taking panoramic pictures by combining a series of overlapping digital images obtained by

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rotating the digital camera while it is mounted on a tripod. The series of overlapping digital images are stored in a folder on removable memory (block 219 in Fig. 2C). On the other hand, automatic exposure (AE) and automatic white balance (AWB) parameters are stored in a separate control memory after they are determined for the first picture in the series. This enables the same parameters to be used for subsequent pictures, as described in paragraphs 53 and 54. The series of digital images are then uploaded to a computer for conventional stitching to produce a single panoramic image.

#### **Rejections under 35 U.S.C. § 103(a)**

In paragraphs 4-13 on pages 3-6 of the Office Action, claims 1-14 were rejected under 35 U.S.C. § 103(a) as unpatentable over Anderson in view of May et al. However, nothing has been cited or found in either Anderson or May et al. that teaches or suggests "writing ... information ... indicating a display state of a currently displayed image in ... non-volatile storage" (claim 1, lines 9-10). This provides the benefit of an image display device which can be turned off and retain its display state when it is turned back on.

In item 14 on pages 6-7, the Examiner responded to the arguments in the September 23, 2003 Amendment by asserting that Anderson "discloses writing information indicating display state of the currently displayed image in non-volatile storage" (page 6, last two lines) citing "tags" that may be displayed as text on the LCD in the device taught by Anderson, citing column 5, line 57 to column 7, line 5. In this portion of Anderson the lines discussing tags can be found at column 6, lines 34-50 after the components of the image file 600 are described at column 5, line 59-63 as including "an image tag field 610" (column 5, line 61). The description of the image tag field 610 at column 6, lines 34-50 refers to information "regarding the image represented by the image data 604 (column 6, lines 35-36), such as "[m]edia type tags "indicating "all the media types associated with the image, such as whether the image is a single image or a panoramic image" (column 6, lines 36-38). The "media type tags are used to select the type of icon that is displayed in the LCD 402 along side the thumbnail image 606" (column 6, lines 39-41). In addition, "a tag could be used to indicate the setting of the camera 110 at the time the image was captured, or indicate the identity of the camera manufacturer" (column 6, lines 44-47).

As described in the preceding paragraph, the image tag field 610 is related to the LCD of the device taught by Anderson by identifying an icon that is displayed or by providing text, or whether a stored image is a single image or a panoramic image. As noted above, none of this information indicates the "display state of a currently displayed image" (claim 1, lines 9-10). If the device taught by Anderson is turned off and then turned back on, none of the media tags

associated with an image tag field would inform the device what was being displayed at the time that the device was turned off. As noted above, that is what the display state stored in the non-volatile storage unit enables the present invention to do. Since nothing has been cited in the prior art suggesting storage of information regarding a **current** display state and all of the independent claims recite this limitation, it is submitted that the claims patentably distinguish over Anderson in view of May et al.

### Summary

It is submitted that the cited references, taken alone or in combination, do not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-14 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 4/12/04

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S&amp;H Form: (01/03)

**REPLY/AMENDMENT  
FEE TRANSMITTAL**

|                      |                         |
|----------------------|-------------------------|
| Attorney Docket No.  | 826.1720                |
| Application Number   | 09/819,703              |
| Filing Date          | March 29, 2001          |
| First Named Inventor | Kenichiro SAKAI, et al. |
| Group Art Unit       | 2676                    |

|                 |        |               |                  |
|-----------------|--------|---------------|------------------|
| AMOUNT ENCLOSED | 110.00 | Examiner Name | Allen E. Quillen |
|-----------------|--------|---------------|------------------|

**FEE CALCULATION (fees effective 01/01/03)**

| CLAIMS AS AMENDED  | Claims Remaining After Amendment | Highest Number Previously Paid For | Number Extra | Rate         | Calculations |
|--|----------------------------------|------------------------------------|--------------|--------------|--------------|
| TOTAL CLAIMS   | 14                               | - 20 =                             | 0            | X \$ 18.00 = | \$ 0.00      |
| INDEPENDENT CLAIMS   | 5                                | - 5 =                              | 0            | X \$ 84.00 = | 0.00         |
| Since an Official Action set an <u>original</u> due date of March 10, 2004, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110); 2 months (\$410); 3 months (\$930); 4 months (\$1,450); 5 |                                  |                                    |              |              | 110.00       |
| If Notice of Appeal is enclosed, add (\$320.00)  |                                  |                                    |              |              |              |
| If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110.00)   |                                  |                                    |              |              |              |
| Information Disclosure Statement (Rule 1.17(p)) (\$180.00)   |                                  |                                    |              |              |              |
| Total of above Calculations =  |                                  |                                    |              |              | \$ 110.00    |
| Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)  |                                  |                                    |              |              |              |
| TOTAL FEES DUE =   |                                  |                                    |              |              | \$ 110.00    |

(1) If entry (1) is less than entry (2), entry (3) is "0".

(2) If entry (2) is less than 20, change entry (2) to "20".

(4) If entry (4) is less than entry (5), entry (6) is "0".

(5) If entry (5) is less than 3, change entry (5) to "3".

**RECEIVED****APR 15 2004****METHOD OF PAYMENT****Technology Center 2600**

- ☒ Check enclosed as payment.
- ☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.
- ☐ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

**GENERAL AUTHORIZATION**

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:
- |                      |                    |
|----------------------|--------------------|
| Deposit Account No.  | 19-3935            |
| Deposit Account Name | STAAS & HALSEY LLP |
- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

**SUBMITTED BY: STAAS & HALSEY LLP**

|            |                             |          |         |
|------------|-----------------------------|----------|---------|
| Typed Name | Richard A. Gollhofer        | Reg. No. | 31,106  |
| Signature  | <i>Richard A. Gollhofer</i> | Date     | 4/12/04 |